

29 MAY 2007



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In re Application of	:	
MINNICH, et al.	:	
Serial No.: 10/531,752	:	DECISION ON PETITION
PCT No.: PCT/US03/33066	:	UNDER 37 CFR 1.47(a)
Int. Filing Date: 17 October 2003	:	
Priority Date: 18 October 2002	:	
Atty Docket No.: 4553-00013	:	
For: METHOD AND APPARATUS FOR	:	
HIGH EFFICIENCY EVAPORATION	:	
OPERATION	:	

This decision is issued in response to applicant's "Renewed Petition under Rule 37 CFR 1.47(a)" filed 27 April 2007 to accept the application without the signature of joint inventor, Ramkumar Karlapudi.

**BACKGROUND**

On 17 October 2003, applicant filed international application PCT/US03/33066 which claimed priority to a previous application filed 18 October 2002. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 18 April 2005.

On 18 April 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a copy of the international application; and a preliminary amendment.

On 12 December 2005, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed.

On 12 June 2006, applicant filed a petition under 37 CFR 1.47(a) to accept the application without the signature of joint inventor Ramkumar Karlapudi. In a decision dated 03 November 2006, applicants' petition under 37 CFR 1.47(a) was dismissed without prejudice.

On 27 April 2007, applicant filed the present renewed petition under 37 CFR 1.47(a).

### DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant has satisfied items (1), (3) and (4).

A review of the present petition and the accompanying papers reveal that applicant has satisfied item (2), in that the applicants have shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Ramkumar Karlapudi. The steps taken by Lisa Schollaert are sufficient to show that the inventor refuses to execute the application. Accordingly, it is appropriate to accord the national stage application status under 37 CFR 1.47(a).

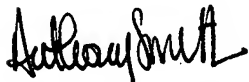
### CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.47(a) is GRANTED.

The application has an international filing date of 17 October 2003 under 35 U.S.C. 363, and will be given a date of 12 June 2006 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.



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Dear Ramkumar Karlapudi:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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